IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1347 OF 2005

Sanjay Chimanlal Dholkia ... Applicant

versus

The State of Maharashtra ... Respondent

...

Mr.Rishi Bhuta, for the Applicant.

Mr.V.B. Konde Deshmukh, A.P.P., for the Respondent.

...

CORAM : A.M.KHANWILKAR,J.

7th March 2005

P.C.:

. Explanation offered by the concerned Sub-Inspector of Police, Mr. Manohar B. Bhogle, on affidavit is taken on record. I am not expressing any opinion on the correctness of the stand taken. For the time being, I am only accepting unconditional apology tendered by the said Officer to this Court. Rest of the matter

to be examined by the Commissioner of Police, who has already been directed to take appropriate steps in the matter vide order dated March 4, 2005. Learned A.P.P. to forward copy of this affidavit to the Commissioner of Police to enable him to proceed in the matter as may be advised.

. Learned A.P.P. on instructions states that investigation is complete and charge sheet will be filed before the lower Court on or before 9th March 2005. In view of the statement made across the Bar by the learned A.P.P., learned Counsel for the Applicant submits that in that case the Applicant may be given an opportunity to approach the lower Court, before whom entire material along with the charge sheet will be available, for regular bail, so that it can be considered on its own merits in accordance with law. Accordingly, this application is dismissed as withdrawn with liberty to the Applicant to approach the appropriate Court as prayed for bail. That application may be decided by the concerned Court on its own merits in accordance with law.

(A.M.KHANWILKAR,J.)